

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

|                                       |   |                                |
|---------------------------------------|---|--------------------------------|
| <b>THE SUPERIOR BEVERAGE CO.,</b>     | ) | <b>CASE NO. 4:05 CV 834</b>    |
| <b>INC.</b>                           | ) |                                |
|                                       | ) |                                |
| <b>Plaintiff</b>                      | ) | <b>JUDGE PETER C. ECONOMUS</b> |
|                                       | ) |                                |
| <b>v.</b>                             | ) |                                |
|                                       | ) |                                |
|                                       | ) |                                |
| <b>SCHIEFFELIN &amp; CO.</b>          | ) | <b>MEMORANDUM OPINION</b>      |
| <i>fka</i> Schieffelin & Somerset Co. | ) | <b>AND ORDER</b>               |
|                                       | ) |                                |
| <b>Defendant</b>                      | ) |                                |

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|------------------------------|---|--------------------------------|
| <b>GOODMAN BEVERAGE CO.,</b> | ) | <b>CASE NO. 4:05 CV 868</b>    |
| <b>INC., <i>et al.</i></b>   | ) |                                |
|                              | ) |                                |
| <b>Plaintiffs</b>            | ) | <b>JUDGE PETER C. ECONOMUS</b> |
|                              | ) |                                |
| <b>v.</b>                    | ) |                                |
|                              | ) |                                |
|                              | ) |                                |
| <b>SCHIEFFELIN &amp; CO.</b> | ) | <b>MEMORANDUM OPINION</b>      |
|                              | ) | <b>AND ORDER</b>               |
|                              | ) |                                |
| <b>Defendant</b>             | ) |                                |

This matter is before the Court upon the prior order requesting that the parties address

the potential applicability of the abstention doctrine established in Louisiana Power & Light v. Thibodaux, 360 U.S. 25 (1959). See (Case No. 4:05 CV 834, Dkt. # 25; Case No. 4:05 CV 868, Dkt. # 24). The Court hereby orders that all filings to be submitted in advance of the preliminary injunction hearing scheduled for June 3, 2005 shall be **STAYED** pending the Court's ruling on the abstention issue.

**IT IS SO ORDERED.**

/s/ Peter C. Economus - May 25, 2005

**PETER C. ECONOMUS**

**UNITED STATES DISTRICT JUDGE**